

1 BILL NO. Z-85- 02-10

2 ZONING MAP ORDINANCE NO. Z- 01-85

3 AN ORDINANCE amending the City of  
4 Fort Wayne Zoning Map No. J-26.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
6 INDIANA:


7 SECTION 1. That the area described as follows is hereby  
8 designated a B-4 (Roadside Business) District under the terms of Chapter 33  
9 of the Code of the City of Fort Wayne, Indiana of 1974:

10 Part of the East half of the Northeast Quarter of the  
11 Northwest Quarter, Section 27, Township 31 North,  
12 Range 12 East, Allen County, Indiana, Second Principal  
Meridian, more particularly described as follows:

13 Commencing at the northeast corner of said Northwest  
14 Quarter; thence South 00 degrees, 30 minutes East, a  
15 distance of 155.0 feet along the east line of the North-  
16 west Quarter of said Section 27 to the Point of Beginning;  
17 thence South 89 degrees, 31 minutes West, a distance of  
18 189.47 feet parallel with the north line of the Northwest  
19 Quarter of said Section 27; thence South 00 degrees,  
20 30 minutes East, a distance of 665.1 feet; thence  
North 89 degrees, 31 minutes East, a distance of 198.0  
feet parallel with the north line of the Northwest Quarter  
of said Section 27; thence North 01 degree, 18 minutes,  
28 seconds West, a distance of 666.0 feet along the east  
line of the Northwest Quarter of said Section 27 to the Point  
of Beginning; and subject to the easements and rights-of-way  
record

21 and the symbols of the City of Fort Wayne Zoning Map No. J-26, as established  
22 by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana  
23 are hereby changed accordingly.

24 SECTION 2. That this Ordinance shall be in full force and effect  
25 from and after its passage and approval by the Mayor.

26  
27  
28   
COUNCILMEMBER

29  
30 APPROVED AS TO FORM AND LEGALITY:

31   
32 BRUCE O. BOXBERGER, CITY ATTORNEY



Read the first time in full and on motion by Redd, seconded by Salas, and duly adopted, read the second time by title and referred to the Committee Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_.M., E.S.

DATE: 2-12-85

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 4-9-85

Margie E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~)

(~~SPECIAL~~) (~~ZONING MAP~~) ORDINANCE (~~RESOLUTION~~) NO. 3-01-85

on the 9th day of April, 1985,

ATTEST:

(SEAL)

Margie E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Mark E. Giaquinta  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of April, 1985, at the hour of 11:00 o'clock A..M., E.S.T.

Margie E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10 day of April, 1985, at the hour of 3 o'clock P..M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR



RECEIPT NO. \_\_\_\_\_

DATE FILED \_\_\_\_\_

INTENDED USE store expansion

THIS IS TO BE FILED IN DUPLICATE

I/We \_\_\_\_\_ the undersigned  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an RA District to a/an B4 District the property described as follows:

Part of the East half of the Northeast Quarter of the Northwest Quarter, Section 27, Township 31 North, Range 12 East, Allen County, Indiana, Second Principal Meridian, more particularly described as follows:

Commencing at the northeast corner of said Northwest Quarter; thence South 00 degrees, 30 minutes East, a distance of 155.0 feet along the east line of the Northwest Quarter of said Section 27 to the Point of Beginning; thence South 89 degrees, 31 minutes West, a distance of  
(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE GIVEN:

4310 Executive Blvd.

1727 Coliseum Blvd. West

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Floyd B. Kelsey, Jr.  
Sam W. Fletcher

2624 Merivale Ave. Ft. Wayne, In. 46809  
6127 Stoney Creek Dr. Fort Wayne, In. 46825

[Signature]  
[Signature]

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_  
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Edward J. Moppert  
(Name)

1212 Anthony Wayne Bank Building  
(Address & Zip Code)  
Fort Wayne, IN 46802

423-3331  
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.



Legal Description of property to be rezoned.

189.47 feet parallel with the north line of the Northwest Quarter of said Section 27; thence South 00 degrees, 30 minutes East, a distance of 665.1 feet: ~~along the east property line of the above described 4x58xxxxxxx tract~~ thence North 89 degrees, 31 minutes East, a distance of 198.0 feet parallel with the north line of the Northwest Quarter of said Section 27; thence North 01 degree, 18 minutes, 28 seconds West, a distance of 666.0 feet along the east line of the Northwest Quarter of said Section 27 to the Point of Beginning; and subject to the easements and rights-of-way of record.

Owners title Deed appears at Deed Record 693 pages 123-124.

Owners of Property

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE  
This form is to be filed in duplicate.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 12, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-02-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 25, 1985;

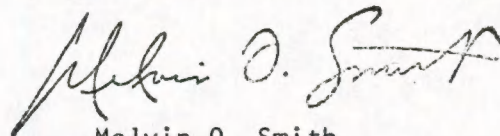
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Facts":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 4, 1985.

Certified and signed this  
19th day of March 1985.



Melvin O. Smith  
Secretary

## RECEIPT

COMMUNITY DEVELOPMENT &amp; PLANNING

No 10861

FT. WAYNE, IND., 1-16 1985

RECEIVED FROM

Hoffman & Wappert\$ 50.00

THE SUM OF

Fifty Dollars and 00/100

100 DOLLARS

ON ACCOUNT OF

Reopening Petition @ 4310 Executive Blvd  
To Rezone From RA to B4 1727 Coliseum WestB. J. Wells

AUTHORIZED SIGNATURE

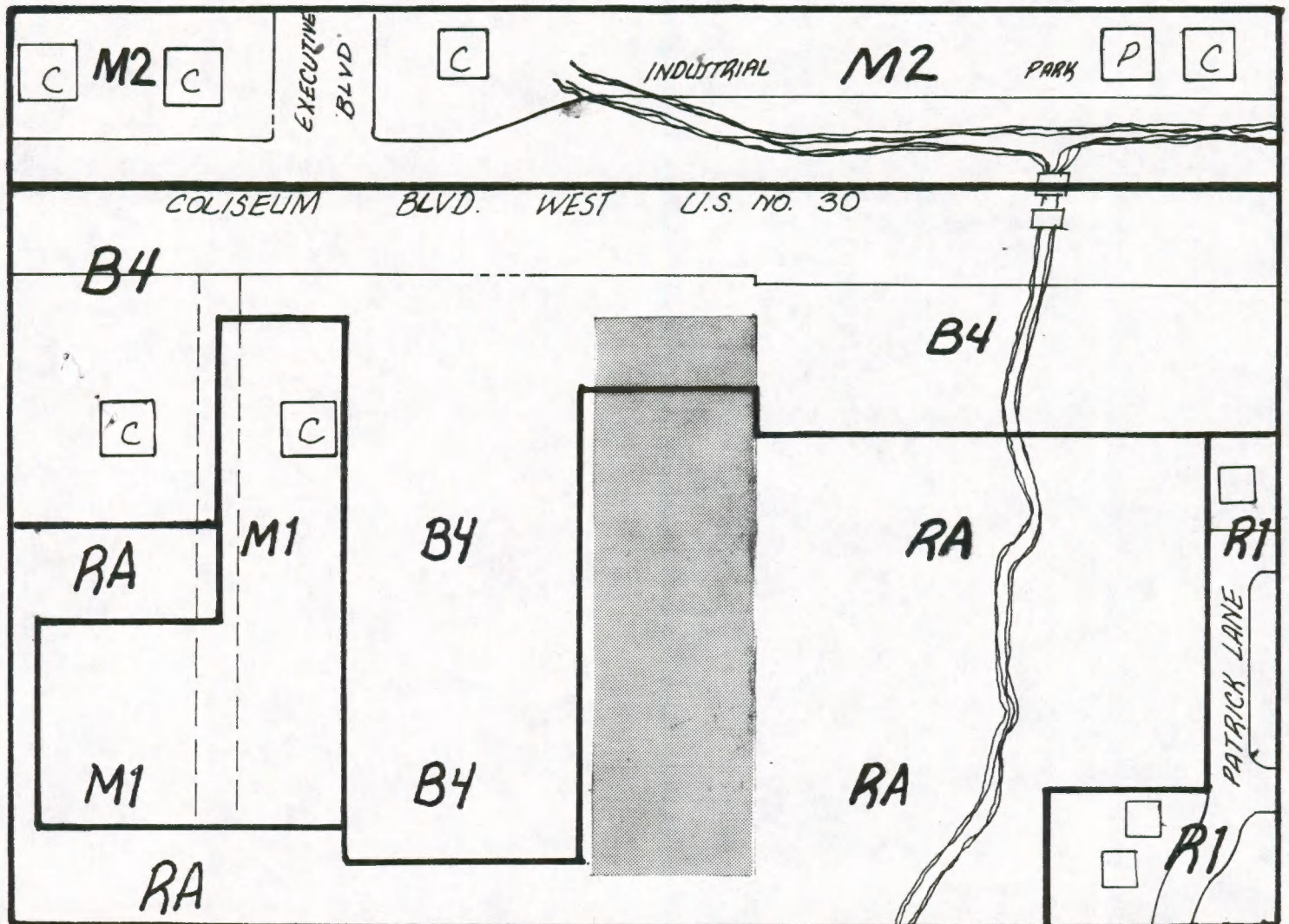


# ZONING PETITION #111

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN RA DISTRICT TO A B4 DISTRICT.

MAP NO. J-26

COUNCILMANIC DISTRICT NO. 3



## Zoning:

RA RESIDENCE A  
R1 RESIDENTIAL DISTRICT  
B4 ROADSIDE BUSINESS  
M1 LIGHT INDUSTRY  
M2 GENERAL INDUSTRY

## Land Use:

☐ SINGLE FAMILY  
☐ COMMERCIAL  
☐ PUBLIC - FIRE STATION

Z-85-02-10

Scale: 1"=200'

Date: 1-16-85





BILL NO. Z-85-02-10

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of Fort  
Wayne Zoning Map No. J-26

1727 Coliseum Blvd. West

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(~~RESOLUTION~~)

YES

NO

Charles B. Redd  
CHARLES B. REDD  
CHAIRMAN

JANET G. BRADBURY  
VICE CHAIRWOMAN

JAMES S. STIER

BEN A. EISBART

Donald J. Schmidt  
DONALD J. SCHMIDT

CONCURRED IN 4-9-85

SANDRA E. KENNEDY  
CITY CLERK



**FACT SHEET**

Z-85-02-10

BILL NUMBER

**Division of Community  
Development & Planning**

BRIEF TITLE

APPROVAL DEADLINE

REASON

Zoning Ordinance Amendment

**DETAILS****Specific Location and/or Address**

1727 Coliseum Blvd., West

**Reason for Project**

Expansion of Fleet Supply

**Discussion (Including relationship to other Council actions)**  
February 25, 1985 - Public Hearing

Edward Moppert, attorney for the petitioners and prospective purchasers stated that Fleet Supply is an old established business in the community and is growing rapidly and is in need of expanding. He stated the needed expansion of the business is the reason for the requested rezoning. He stated that this request does not violate the spirit of the Master Plan for the City. He stated that the location they are requesting rezoned does not lend itself to residential use.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

March 4, 1985 - Business Meeting

The Site Committee recommended approval to this request. Motion to approve was passed.

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents****Applicant(s)**Floyd B. Kelsey/Sam Fletcher  
City Department

Other

**Opponents****Groups or Individuals**

None

**Basis of Opposition****Staff  
Recommendation**☒ For☐ Against

Reason Against

**Board or  
Commission  
Recommendation****By**☒ For☐ Against☐ No Action Taken☐ For with revisions to conditions  
(See Details column for conditions)**CITY COUNCIL  
ACTIONS**(For Council  
use only)☐ Pass☐ Other☐ Pass (as  
amended)☐ Hold☐ Council Sub.☐ Do not pass



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Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

**Date** January 16, 1985

**Date** March 18, 1985

Date March 18 1985

Date March 18, 1985

Reference or Case Number



ORIGINAL

Admn. Appr.

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

Z 85-02-10

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 1727 Coliseum Blvd., West

Councilmanic District No. 3

EFFECT OF PASSAGE Property is now zoned RA - Suburban Residential. Property  
will become B-4 - Roadside Business.

EFFECT OF NON-PASSAGE Property will remain B-4 - Roadside Business.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE (J.N.) \_\_\_\_\_